IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3548 OF 2007

Dadu Goga Shinde .. Petitioner
Versus
Prakash Gangadhar Gamane & Anr. .. Respondents

Mr.Uday Warunjikar for petitioner
Mr.R.M.Patne, A.G.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 3rd December 2007

P.C.

. After this matter was argued for some time, Mr.Patne, learned A.G.P. could not point out to me from the order of the learned Minister that all issues and objections raised by the parties have been duly noted and considered. The grievance of the petitioner is that the Minister called for the report from D.I.L.R. and which report, although submitted to him, was not considered and referred to in the impugned order.

2. Learned Advocate for petitioner, therefore, invites my attention to all these aspects and desires that this Court should go into all these issues. In my view, that would not be proper. Since the grievance principally is that the Revision Application has not been considered in accordance with law, interest of justice would be sub-served if the revisional order is set aside and the revision application of the petitioner is restored to the file of the Minister for being decided afresh after giving notice to all concerned parties and hearing them. The Minister to pass fresh orders without being influenced by the earlier observations. Petition allowed. parties to appear before the Minister on 11th December 2007.

(S.C.Dharmadhikari, J)